

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS
(BOSTON, MA)

ADE GEORGE OYEGBOLA,

Petitioner/Plaintiff

vs.

TOM RIDGE, Secretary, DHS
JOHN ASHCROFT, Attorney General, USDOJ
EDUARDO AQUIRRE JR., Director, USCIS
DENNIS RIORDAN, District Director-Boston, USCIS
Respondents/Defendants

C.A.NO. 04-10318-RGS

USCIS # A028-408-457

MOTION FOR CORRECTION OF DOCKET ENTRY RECORDS

NOW COMES Petitioner, ADE GEORGE OYEGBOLA, Pro Se, and moves the Court to direct the Clerk of Court to correct the Docket entry records to include the following filings:

- (1) "Motion for Judgment by Default Fed.R.Civ.P. Rule 55(e)" and
- (2) "Memorandum of Points and Authorities in Support of Petitioner's Motion for Judgment by Default Fed.R.Civ.P. Rule 55"

The above stated documents were filed in the Clerk's Office on June 28, 2004. (See attachments)

RESPECTFULLY SUBMITTED,



Ade George Oyegbola
Petitioner, Pro Se
46 Birchwood Road U428
Randolph, MA 02368
Phone: (781) 963 0304
Email: Oyegbola@lancorltd.com

DATED: SEPTEMBER 17, 2004

CERTIFICATE OF SERVICE

I, Ade George Oyegbola, certify that on September 17, 2004, I caused a copy of the foregoing Motion to amend to be served by "Hand Delivery" to Michael Sady, AUSA, at U.S. Attorney's Office John Joseph Moakley U.S. Courthouse, Suite 9200 Boston, MA 02210

A handwritten signature in black ink, appearing to read 'Ade Oyegbola', written over a horizontal line.

Ade George Oyegbola
Petitioner, Pro Se

UNITED STATES DISTRICT COURT
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FILED
IN CLERKS OFFICE
2004 JUN 28 P 12:04

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**MOTION FOR JUDGMENT BY DEFAULT
FED.R.CIV.P RULE 55(e)**

Now comes the Petitioner, Ade George Oyegbola, pro se, who respectfully moves this Court to enter Judgment by Default in favor of Petitioner and against All Respondents, pursuant to Civil Rule 55, on the grounds said Respondents have failed to answer, plead, or otherwise defend the Petition originally filed by the Petitioner on February 17, 2004 and Amended on May 26, 2004.

Petitioner's Request for Entry of default and Affidavit in support thereof was entered in the records by the Clerk of Court on June 16, 2004.

FILED
IN CLERKS OFFICE

UNITED STATES DISTRICT COURT
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**MEMORANDUM OF POINTS AND AUTHORITIES IN SUPPORT OF
PETITIONER'S MOTION FOR JUDGMENT BY DEFAULT
FED.R.CIV.P RULE 55**

Federal Rule of Civil Procedures Rule 55(b)(2) states that if the party against whom affirmative relief or judgment is sought fails to plead or otherwise defend, the party entitled to judgment by default shall apply to the Court thereof. However, Civil Rule 55(e) states that "No judgment by default shall be entered against the United States or an officer or agency thereof unless the claimant establishes a claim or right to relief by evidence satisfactory to the court."

As more fully stated below, Petitioner is entitled to relief by default judgment.